

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION,

Plaintiff

AND

JANE DOE

Plaintiff-Intervenor,

v.

UNITED AIRLINES, INC.,

Defendant.

CIVIL ACTION NO. 5:18-cv-00817-XR

**JOINT AND AGREED MOTION TO STAY PROCEEDINGS PENDING MEDIATION,
RESET INITIAL STATUS HEARING AND FOR AN EXPEDITED RULING**

Plaintiff Equal Employment Opportunity Commission (“EEOC”), Intervenor Jane Doe (“Intervenor”), and Defendant UNITED AIRLINES, INC. (“United”), hereby jointly move this Court to stay this litigation and extend all deadlines including resetting the initial status hearing set for Thursday, April 25, while the parties pursue private mediation. The parties also request an expedited ruling on this motion. In support of this motion, the parties state as follows:

1. Pursuant to the parties’ ADR Report and Scheduling Order, the parties have exchanged settlement demands with Plaintiff and Intervenor serving their demand on April 8, 2019, and United responding on April 22, 2019.

2. The parties have agreed to jointly request that the Court stay proceedings until they can exhaust these settlement discussions through the use of a mutually-agreeable private mediator. The parties intend to schedule and attend private mediation within the next 30 to 45 days, if possible.

3. The parties believe that a stay of proceedings would be the most efficient use of party and judicial resources, in that extensive and costly discovery, including extensive electronically stored information (ESI) collection, review and production, is slated to be conducted within the next 90 days, as well as oral depositions.

4. The stay of remaining dates and deadlines in these proceedings will allow the parties an opportunity to attempt to settle this litigation without incurring any more fees and costs than absolutely necessary; thereby conserving resources for all concerned, including the Court, as much as possible.

5. In light of this motion, the parties also jointly request that the Court reset the initial status hearing set for April 25, 2019 to a later date after the parties have had an opportunity to mediate. The parties will report promptly to the Court after mediation on the results of their efforts.

WHEREFORE, Plaintiff EEOC, Intervenor Jane Doe, and Defendant United Airlines, Inc., respectfully request that the Court stay the proceedings pending private mediation and reschedule the initial status hearing presently set for April 25, 2019.

ATTORNEYS FOR DEFENDANT

s/Ada W. Dolph

ADA W. DOLPH (*admitted Pro Hac Vice*)

E-Mail: adolph@seyfarth.com

SEYFARTH SHAW LLP

233 S. Wacker Drive, Suite 8000

Chicago, Illinois 60606

Telephone: (312) 460-5000

Facsimile: (312) 460-7000

KATHRYN C. PALAMOUNTAIN

Texas State Bar No. 24061004

E-Mail: cpalamountain@seyfarth.com.

SEYFARTH SHAW LLP

700 Milam Street, Suite 1400

Houston, Texas 77002-2812

Telephone: (713) 225-2300

Facsimile: (713) 225-2340

ATTORNEYS FOR PLAINTIFF

s/Philip Moss (w/consent)

PHILIP MOSS

Trial Attorney

Texas State Bar No. 24074764

E-Mail: philip.moss@eeoc.gov

**EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION**

San Antonio Field Office

5410 Fredericksburg Road, Suite 200

San Antonio, Texas 78229-3555

Telephone: (210) 281-7636

Facsimile: (210) 281-7669

**ATTORNEY FOR INTERVENOR
JANE DOE**

s/Colin Walsh (w/consent)

Robert J. Wiley*

Texas Bar No. 24013750

Colin Walsh*

Texas Bar No. 24079538

**Board Certified in Labor and Employment
Law by the Texas Board of Legal
Specialization*

WILEY WALSH, P.C.

1011 San Jacinto Blvd, Ste 401

Austin, TX 78701

Telephone: (512) 271-5527

Facsimile: (512) 201-1263

colin@wileywalsh.com

CERTIFICATE OF SERVICE

I hereby certify that on April 24, 2019, I caused a true and correct copy of the foregoing document to be electronically filed with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to the following at their e-mail addresses on file with the Court:

Robert A. Canino (robert.canino@eeoc.gov)
Edward Juarez (eduardo.juarez@eeoc.gov)
Philip Jonathan Moss (philip.moss@eeoc.gov)
U.S. Equal Employment Opportunity Commission
San Antonio Field Office
5410 Fredericksburg Road, Suite 200
San Antonio, Texas 78229-3555

Colin Walsh
WILEY WALSH, P.C.
1011 San Jacinto Blvd., Suite 401
Austin, Texas 78701

s/Ada W. Dolph

One of the Attorneys for
UNITED AIRLINES, INC.